

1 District Judge Benjamin H. Settle
2
3
4
5
6

7 UNITED STATES DISTRICT COURT FOR THE
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 RICK OLMSTEAD,

11 Plaintiff,

12 v.

13 RAY MABUS,

14 Defendant.

CASE NO. 3:13-cv-05051-BHS
DECLARATION OF BURT L.
CARDELL

15 I, BURT L. CARDELL, declare under penalty of perjury, as provided by 28 U.S.C.
16 § 1746, that the following is true and correct to the best of my knowledge:

17 1. I am currently employed by the United States Navy, at the Puget Sound Naval
18 Shipyard and Intermediate Maintenance Facility, Bremerton, WA ("Shipyard"). I
19 have been employed at the Shipyard for more than 35 years. My current position
20 is Assistant Project Superintendent in Code 308 (Nuclear Facilities). I have been
a supervisor for twenty five years. My date of birth is October 1, 1962.

21 2. A temporary promotion is done competitively, extensions are administrative and
22 do not require a new competition. In my experience the order of events to make
23 up a competitive selection for these positions is, basically: (1) announcement of a
24 vacancy, (2) a review of the applicants by a regional personnel office that results
25 in a certificate of eligible candidates, (3) the selecting official conducts an initial
26 screening to determine whether or not the individuals on the list of "eligible
27 candidates" possess the specific skills and experience necessary to meet the
28 requirements of the position (for instance, if hiring a nuclear supervisor, does that
individual possess the knowledge necessary to supervise nuclear workers), (4) a
rating of those candidates identified is conducted by a group of supervisors, (5) a
comparison of the ratings, and (6) a final selection by the proper authority.

Declaration of BURT L. CARDELL
3:13-cv-05051-BHS

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970

1

2 3. In August, 2013, I requested a certificate from OCHR for a temporary Zone

3 Manager (Supervisor II) position. The announcement number for that position is

4 698902.

5 4. I selected Mr. Shawn Pierson to fill my vacancy because he possessed the

6 knowledge skills, and experience necessary to act as the Zone Manager over the

7 nuclear facilities and was therefore the best qualified individual to fill my

vacancy.

8 5. At the time of selection, Mr. Pierson was acting as the Zone Manager over the

9 nuclear facilities. As such, he coordinated all work that was performed in the

10 permanent facilities and oversaw all maintenance and repair work that was

11 performed on permanent facilities in which nuclear work is performed (for

instance, Fire Control Systems, Automatic Lift Doors, and Electrical Systems.).

12

13 6. When I made this selection, I did not know Mr. Olmstead. As such, I was

14 unaware of his age and prior EEO activity.

15 7. I recall nothing unusual about this selection process, this occasion was the same .

16 as the other selections I have performed. I did not hear any comments related to

17 the candidates ages, prior EEO activity, or any other improper factors, and I

would not have expected to.

18 I declare under penalty of perjury that the foregoing is true and correct.

19

20 Executed this 10th day of December, 2014.

21

22

23

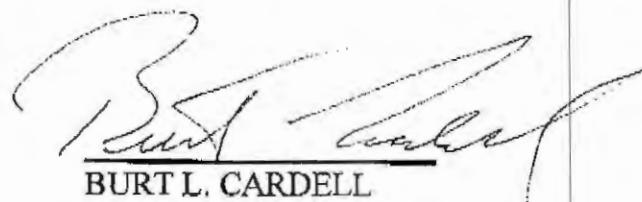
24

25

26

27

28



BURT L. CARDELL

Declaration of BURT L. CARDELL
3:13-cv-05051-BHS

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970